



Paints



Robert R. Kovalak
Manager - Environmental Affairs
(216)344-8282

The Glidden Company

925 Euclid Avenue
Cleveland
Ohio 44115 USA
Telephone (216) 344 8000
Telex 196102 GLIDDEN CLV
Fax (216) 344 8900

January 4, 1996

VIA FEDERAL EXPRESS

Mr. Joseph Cosentino, OSC
Removal Action Branch
Emergency and Remedial Response Division
U.S. Environmental Protection Agency, Region II
2890 Woodbridge Avenue
Edison, NJ 08837

Grow
Group,
Inc

Re: **Bayonne Barrel and Drum Superfund Site**
150-154 Raymond Boulevard, Newark, Essex County, New Jersey

Dear Mr. Cosentino:

The Glidden Company, on behalf of Grow Group, Inc. (*including its subsidiaries Devoe & Raynolds and Devoe Coatings*) encloses herewith its response to U.S. Environmental Protection Agency's Section 104(e) Information Request dated September 28, 1995 regarding alleged activities at the Bayonne Barrel and Drum Superfund Site located at 150-154 Raymond Boulevard, Newark, Essex County, New Jersey. The Glidden Company has completed its investigation into the possible shipment(s) of containers to the Bayonne Barrel and Drum site. The results of the investigation are summarized below. To the extent that "new or different" information becomes available, Glidden retains the right to update or supplement this response at a subsequent date.

In developing this response, Glidden has conducted a review for potentially relevant documents and has questioned individuals who may have knowledge of any transactions involving Grow Group, Inc. and Bayonne Barrel and Drum. Given that the information request relates to the release or threatened release of hazardous substances at 150-154



Raymond Boulevard, Newark, Essex County, New Jersey, our response is directed to any arrangements Grow Group, Inc. made concerning the possible shipment(s) of containers to that site, including any contact we may have had with individuals who may have represented themselves as employees of Bayonne Barrel and Drum.

To date, The Glidden Company has been unable to locate any documents (*e.g., correspondence, invoices, receipts, bills of lading, contracts, etc.*) which would indicate that any such transactions had occurred between Grow Group, Inc. and Bayonne Barrel and Drum. Glidden has, however, been able to identify at least one (1) individual who possesses some knowledge related to the existence of Bayonne Barrel and Drum. Such knowledge may, in fact, be related to dealings which may have occurred between Devoe Coatings and Bayonne Barrel and Drum prior to June, 1976 when Devoe Coatings was owned and operated by Celanese Coatings & Specialty Coatings at their former coatings manufacturing facilities located Rutherford, NJ and Newark, NJ. There remains some degree of uncertainty as to whether or not the business relationship existed between Devoe Coatings and Bayonne Barrel and Drum subsequent to closure of those New Jersey facilities.

Glidden's policy has been, and will continue to be, to cooperate with government agencies in CERCLA matters where there is a substantial possibility of involvement. Indeed, Glidden has contributed to numerous CERCLA matters notwithstanding doubt as to Glidden's involvement at those sites. Glidden is unaware of any information upon which the U.S. Environmental Protection Agency, Region II relies upon to identify Grow Group, Inc. as a Potentially Responsible Party (PRP) at the Bayonne Barrel and Drum site. To the extent that the U.S. Environmental Protection Agency, Region II has any such information or documentation which demonstrates that Grow Group, Inc. was involved and/or made arrangements for the shipment of containers to the Newark, NJ site, pursuant to the Freedom of Information Act, Title 5, U.S.C.A., No. 555, we request that you provide us with copies of that information. Based upon that information, Glidden may amend its responses to issues contained within this information request.

In U.S. EPA's request of September 28, 1995, U.S. EPA indicated that the information must be submitted under the signature of an officer or other responsible corporate official and certified to be true and accurate. In our review of RCRA Section 6927 and CERCLA Section 104(e), we can find no provision requiring certification that the submitted information is true, accurate and complete. Accordingly, Glidden respectfully declines to certify this response. However, please note that in responding to this request, Glidden has made diligent inquiry of any reasonably available present and former employees from the relevant time period, and searched for potentially relevant documents. The responses provided herein are believed by the undersigned to be true, accurate and complete. Should additional information become available to indicate that any portion of this response is inaccurate, Glidden will supplement its response.

Should questions arise in this regard, or if additional information is required, please do not

Mr. Joseph Cosentino, OSC
January 4, 1996

Page3

hesitate to contact Glidden's Environmental Affairs Department at (216)344-8282.

Sincerely,

A handwritten signature in dark ink, appearing to read "R. Kovalak", with a large, sweeping initial "R" that loops back under the rest of the name.

Robert R. Kovalak, Manager
Environmental Affairs

cc: M. Seidenberg, Esq. U.S. EPA, Region II

REQUEST FOR INFORMATION
Bayonne Barrel and Drum Superfund Site

1. **General Information About the Company**

- a. *State the correct legal name of the Company.*

Grow Group, Inc.

- b. *Identify the legal status of the Company (corporation, partnership, sole proprietorship, specify if other) and the state in which the Company was organized.*

Corporation, incorporated in the State of New York

- c. *State the names(s) and address(es) of the President and the Chairperson of the Board of the Company.*

John R. Danzeisen, President and CEO

- d. *If the Company has subsidiaries or affiliates, or is a subsidiary of another organization, identify these related companies and state the names(s) and address(es) of the President(s) and the Chairperson(s) of the Board of those organizations. Provide such information for any further parent/subsidiary relationships.*

Grow Group, Inc. was acquired by ICI, PLC and GDEN on June 14, 1995.

- e. *If the Company is a successor to, or has been succeeded by, another company, identify such other company and provide the same information requested above for the predecessor or successor company.*

See answer to d), above.

- f. *If the Company transacted business with Bayonne Barrel & Drum in the name of an entity not disclosed above, give the name of such entity and state its relationship to the Company.*

Grow Group, Inc. believes that a business relationship may have existed between Celanese Coatings & Specialties Company and Bayonne Barrel and Drum prior to Grow's acquisition of certain Devoe Coatings assets in June, 1976. Celanese Coatings & Specialties Company owned and operated several facilities in Rutherford, NJ and Newark, NJ which were not part of those assets acquired by Grow Group, Inc. in June, 1976.

2. **Company's Relationship to Bayonne Barrel & Drum**

- a. *State whether the Company or any Company facility transacted any business with Bayonne Barrel & Drum for the disposal, treatment, or storage of any barrels, drums, or other containers (hereinafter collectively referred to as "Containers").*

Grow Group, Inc. has no information responsive to this request. Although Grow Group, Inc. believes that a business relationship may have existed between Celanese Coatings & Specialties Company and Bayonne Barrel and Drum prior to Grow's acquisition of certain assets in June, 1976, uncertainties exist as to whether or not such relationship existed subsequent to the June, 1976 acquisition. Prior to June, 1976 such relationship, if any, would have been with the Rutherford, NJ and Newark, NJ facilities, assets which were not acquired by Grow Group, Inc.

- i. *If so, describe the relationship (nature of services rendered or products sold to the Company) between the Company and Bayonne Barrel & Drum;*

See above response.

- ii. *Provide copies of any contracts or agreements between the Company and Bayonne Barrel & Drum;*

See above response.

- iii. *For each such facility, state the nature of the operations conducted at the facility, including the time period in which the facility operated; and*

See above response.

- iv. *For each such facility, state its name, address, and current RCRA Identification Number.*

See above response.

- b. *In addition, if the Company transacted business with Bayonne Barrel & Drum, provide the following information for each transaction:*

Grow Group, Inc. has no information responsive to this request.

- i. *Identify the specific dates of each transaction. Where an exact date cannot be provided for a transaction, provide an approximation by month and year;*

See above response.

- ii. *Identify the number of Containers that were the subject of each such transaction;*

See above response.

- iii. *Generically describe each Container that was the subject of each such transaction (example: closedhead steel drums, etc.);*

See above response.

- iv. *Identify the intended purpose of each such transaction;*

See above response.

- v. *State whether each Container that was the subject of the transaction contained any substance at the time of the transaction. As to each Container that contained any substance:*

See above response.

(1) *Identify each such substance, including its chemical content, physical state, quantity by volume and weight, and other characteristics; and*

(2) *Provide all written analyses that may have been made for each such substance or which may be in the custody or control of the Company and all material safety data sheets, if any, relating to each such substance;*

- vi. *If you contend that any such Container did not contain any substance at the time of the transaction:*

See above response.

(1) *State whether such Container had previously been used by the Company to contain any substance, and if so:*

(a) *Identify all substances previously contained within such Container, including its chemical content, physical state, and other characteristics; and*

(b) *Provide as to such substances, all written analyses that may have been made for each such substance or which may be in the custody or control of the Company and all material safety data sheets, if any, relating to each such substance;*

- vii. *Describe in detail any treatment of any Container that may have been performed by or on behalf of the Company prior to the time that the Container was transferred from the Company, including any process or procedure by which the Container was emptied or cleaned;*

See above response.

- viii *Provide copies of all documents relating in any way to each transaction, including copies of delivery receipts, invoices, or payment devices;*

See above response.

- ix. *Identify all persons who might have knowledge of the transaction or who had any responsibility regarding the transaction; and*

See above response.

- x. *If you sent any Container by means of any third party transporter, identify each such transporter, including the name and address of such transporter, and identify in which of the transactions such transporter acted.*

See above response.

3. *Identify any other person (e.g., individual, company, partnership, etc.) having knowledge of facts relating to the questions which are the subject of this inquiry. For each such person that you identify, provide the name, address, and telephone number of that person, and the basis of your belief that he or she has such knowledge. For past and present employees, include their job title and a description of their responsibilities.*

Celanese Coatings & Specialties Company; status; location and/or telephone numbers unknown.

4. *Identify each person consulted in responding to these questions and correlate each person to the question on which he or she was consulted.*

Robert R. Kovalak
The Glidden Company
Environmental Affairs Department
925 Euclid Avenue
Cleveland, OH 44115

5. *Provide a list of all insurance policies and indemnification agreements held or entered into by you that may indemnify you against any liability that you may be found to have under CERCLA. Specify the insurer, type of policy, effective dates, and state per occurrence policy limits for each policy. Copies of policies may be provided in lieu of a narrative response. In response to this request, please provide not only those policies and agreements that are currently in effect, but also those in effect since your company began sending Containers to the Site.*

Grow Group, Inc. has no information responsive to this request.

6. *State whether there exists any agreement or contract (other than an insurance policy) which may indemnify the Company, present or past directors, officers or owners of shares*